

AUGUST 2022, ISSUE 11

WELLINGTON BRANCH NEWSLETTER

IN THIS ISSUE

President's column - page 2

ALWU Update - page 3

Updates and events - pages 4 - 5



**New Zealand
Law Society**
Wellington Branch

PRESIDENT'S COLUMN – ĒTAHI WHAKAARO NŌ TE TUMUAKI



Kei te tukua āku mihi nunui ki ō tātou kaipānui i te reo Māori, i te reo tino ātaahua a te tangata whenua. E kī ana te wehenga 5 o Te Ture mō Te Reo Māori 2016: "He reo whai mana ā-ture nō Niu Tireni te reo Māori". Nō reira, he aha te take me whakangungu tonu tātou i te reo Māori ki ēnei motu? Kāore au i te whakaae tonu ki ngā kōrero a Hon Marama Davidson, engari ki tāku whakaaro i tika tāna whakanui i te tangohanga o te tohu "Miraka Kirīmi" e Whittaker's.

E tika ana ko te rarangi 2.99 o te Pukapuka a te Kāhui Minita (kāore ano kia whakaputaina ki te reo Māori!) e kī ana, "Kaua he Minita e whakamana i ngā mahi pāpāho tētahi hua, ratonga rānei". Engari, i kōrerotia e te Kōti Pīra i *Ulrich v Attorney-General* [2022] 2 NZLR 599 i Poutū-te-rangi o tēnei tau, "Ko te tikanga, ka whakamahia e ngā kōti tētahi tikanga e rite ana ki te Tiriti, mehemea tēnā pea". He herenga tonu tō te Karauna i te Upoko Tuarua o te Tiriti o Waitangi, e tautokohia ana e te wehenga 6(2) o Te Ture mō Te Reo Māori, "ki te āta whai tonu kia tiakina, kia tokona ake hoki tēnei taonga, ko te reo Māori, mō ngā whakatipuranga e haere ake nei". Ki ahau, me pānuitia te Pukapuka a te Kāhui Minita kia āhei ai ngā Minita ki te whakanui i tētahi tangata, kamupene rānei o tēnei whenua ka whai wāhi ki te tiaki me te toko i tō tātou reo ātaahua.

In my last *whakaaro* in this newsletter, I observed that this is a pivotal moment for the legal profession in New Zealand. We continue to face challenges. You will all have read the public statements that the President of NZLS has agreed to take a leave of absence while, among other matters, allegations against her are investigated by Michael Heron QC. In the meantime, our well-respected Chief Executive, Joanna Simon, has resigned. We have also received resignations from other senior staff. That is beyond disappointing and confronts us with a very real recruitment challenge in a tight labour market. However, the Vice Presidents on the Board have been working exceptionally hard – well beyond what could reasonably be expected of busy practitioners – to right the ship.

The Council of the Law Society, on which I represent your voices, has also put in many hours of work to ensure that the legacy and vital role of the Law Society is protected and preserved. On your behalf, I moved a vote of thanks to the Board for the work they have done, which was passed unanimously. The Wellington Branch Council has also passed an equivalent resolution. Special thanks are due to our own Ataga'i Esera, who is the voice of Wellington on the Board. Please give her a (figurative) pat on the back if you see her around the rohe. There is not a lot else I can tell you about these matters; I can only ask for your trust that I have and will continue to strongly advocate an approach based on well-understood principle to this and any other issues which arise at the national level.

On the positive side, the commitment and hard work of your Branch Council and the many other volunteers and paid staff of the Law Society who contribute to the mahi of this Branch is paying dividends in measurable ways. We have a level of engagement in the various parts of Greater Wellington which is unprecedented in recent times (even before the pandemic). This is reflected in the attendance of members at events, both social and CPD-oriented. There is a lot more to come in the next few months (including as mentioned in this newsletter), so get out there and get involved! Our communications have also improved markedly. This newsletter is being read widely, not just in Wellington but up and down the country. It is currently being opened by nearly 58% of those who receive it, which is almost three times the average of 21.94% for newsletters published by professional services organisations. I think that is partly because we deal with the issues which matter to our members and we are not afraid to print different views on those issues and even challenge the orthodoxy. If you have a burning issue which you think the other members of the Branch should hear about (either in English or te reo Māori), I do encourage you to put pen to paper!

Ko tāku tūmanako, kia tino pai rawa atu a koutou ko ō koutou whānau

A handwritten signature in black ink, appearing to read 'Ukyo', with a long horizontal line extending to the left.

Christopher Griggs

Updates from the Aotearoa Legal Workers' Union



Tess Upperton and Isabella Lenihan-Ikin (Co-Presidents of Aotearoa Legal Workers' Union)

The Aotearoa Legal Workers' Union (**ALWU**) has continued to cement its place within the legal profession as a strong, member-led organisation that strives to achieve equity and inclusion for all legal workers.

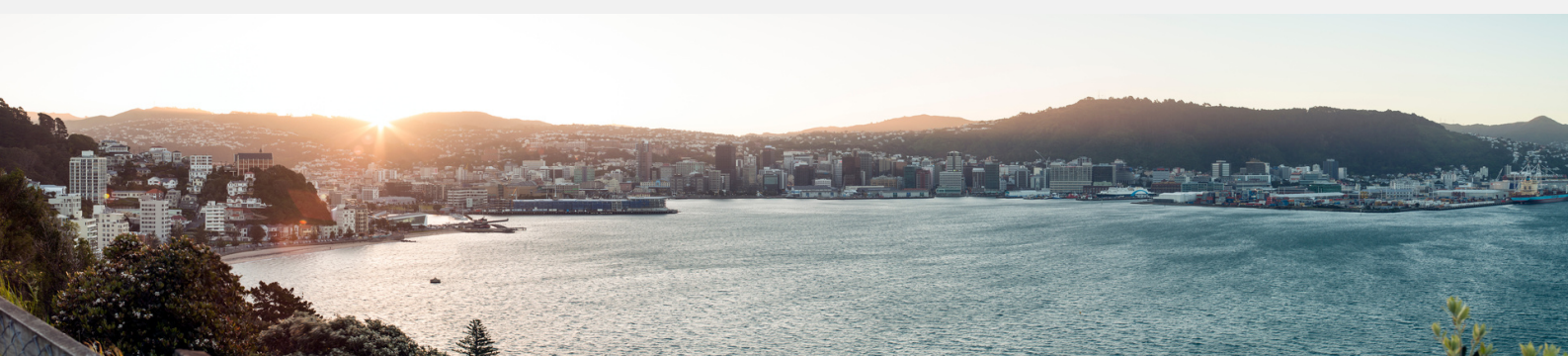
As ALWU's fourth Executive team nears the end of its tenure, we look back on the year that has been and some of ALWU's key wins:

- Continuing to provide transparency for legal workers on minimum wage compliance, remuneration, working conditions, working hours and overtime at different legal employees across Aotearoa.
- Campaigning for all legal employers in Aotearoa to become Living Wage accredited employers to ensure their workers and contractors are able to pay for the necessities of life and participate as active citizens in the community.
- Providing a strong voice for legal workers in the media to raise awareness on various issues, including mental health, rising inflation, the James Gardner-Hopkins disciplinary decisions, and allegations of misconduct at a large law firm.
- Connecting with legal workers via social media to encourage community and shared comradery.
- Presenting at ethics lectures at law schools across the motu.



- Organising information sessions at law firms where ALWU's incredible delegates help ensure new workers have a good understanding of their rights.
- The establishment of ALWU's National Student Committee with representatives at every law school in Aotearoa, in recognition of the vital role law students have in shaping the future of the legal profession.
- Initiating collective bargaining for legal workers.
- Providing free advocacy services to members on a range of workplace issues via ALWU's volunteer Pro Bono Panel, which comprises highly experienced employment lawyers.
- Raising awareness of the professional course bonding clauses in many law clerks' employment contracts with support of ALWU's Employment Law Committee.
- Making submissions on key policy reform affecting legal workers including in relation to the select committees for the Fair Pay Agreements Bill and the Employment Relations (Extended Time for Personal Grievance for Sexual Harassment) Amendment Bill, as well as making submissions on proposed amendments to the Lawyers and Conveyancers Act 2006, and to the Independent Review Panel for the regulation of lawyers and legal services in Aotearoa.
- Becoming a New Zealand Council of Trade Unions affiliated union.
- Attending the 100th International Labour Conference in Geneva as one of the government's worker representatives.

ALWU is holding its fourth AGM online from 6:30-7:30pm on Thursday 15 September 2022 via Zoom. Contact ALWU at contact@alwu.org.nz for more details.





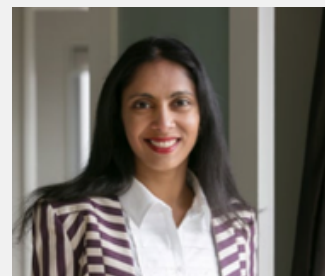
UPDATES AND EVENTS

Bright-Line Tax Workshop – Practical Guide

Presented by **Arti Chand**, [AC Tax Law](#).

Arti will take you through a session to recap on the bright-line provision and its application. Arti will also cover recent amendments related to new builds and rollover relief for certain property transfers. And, finally, you will discuss commonly asked questions and topical examples on the application of the bright-line provision.

Where: Urban Hub Serviced Offices, 2/318 Lambton Quay // **When:** 5.30pm - 7pm, Tuesday 13 September // **Cost:** \$30.00 // **CPD:** 1.5 hours // Register [here](#).



Towards a more rainbow inclusive workplace – webinar

InsideOUT will present a webinar that will address the importance of valuing the equity, safety and inclusion of rainbow & takatāpui communities. This is designed to give anyone in your organisation an understanding of why an affirming inclusive approach is important. We will focus on the practical experiences of rainbow communities and things you can do to support inclusion and equity for these communities.

We will also be joined by **Frankie Karetai Wood-Bodley** for some insights and experiences of someone from the rainbow community within the legal world.

Where: Zoom webinar // **When:** 12pm, 22 September // **Cost:** \$15.00 // **CPD:** 1 hour // Register [here](#).



Kāpiti Twig Breakfast

Breakfast for Kāpiti members at Sunday Cantina, Poplar Avenue, Raumati South, 7:15am, Thursday 29 September.

This is an informal get together and the chance to meet your small but dedicated Committee of the Kāpiti twig of the Wellington Branch. Come along to share your ideas; bring along your staff who will benefit from making new connections and meeting other colleagues.

You order from the menu and pay as you go.

We do need firm numbers of attendees by 26 September 2022 as Sunday Cantina are opening especially for us.

Please share this invite with your team and RSVP to sue@lawconnect.co.nz.



Porirua Bar Dinner

The popular Porirua Bar Dinner is back!

Come and enjoy a collegial night out in Porirua and help us celebrate the careers of recent retirees **Robert Brace**, **Christina Leech**, **Bill Bevan** and **Peter Harrison**, with guest speaker **Justice Joe Williams**.

Where: Mana Cruising Club // **When:** 6 October from 6pm // **Cost:** \$85.00 per person // Book tickets [here](#).

REPRESENTATIVE UPDATES

Kāpiti Representative - Sue Scutter



Dear Colleagues

The Organising Committee of the Kāpiti Twig of NZLS are excited. Following our successful first social event we've organised a calendar of proposed events, so you can book the dates in and commit to attending. Please share this information with the relevant staff.

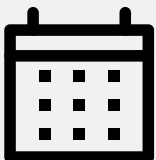
Thursday 29/9/22 - Breakfast at Sunday Cantina, Poplar Avenue, Raumati South, 7:15am

- This is an informal get together and the chance to meet your small but dedicated Committee and share your ideas; to bring along your staff who will benefit from making new connections and meeting other colleagues.
- You order from the menu and pay as you go.
- We do need firm numbers of attendees by 26/9/22 as Sunday Cantina are opening especially for us.
- **RSVP to sue@lawconnect.co.nz.**

Friday 2/12/22 - Christmas Dinner at ANZIL Restaurant at Lindale, Old Main Highway, Paraparaumu 6pm arrival

- A Christmas buffet \$60.00 per head and purchase your own drinks.
- Open to all lawyers, legal executives and partners. You will need to provide names of attendees when you book. Numbers are limited to 70.
- There is a vegetarian option, so please specify if you would like this when you book.
- RSVPs are required by 25/11/22 to register there is an electronic link in email communications to purchase tickets.

Any queries please email me, Sue Scutter, Kāpiti Representative at sue@lawconnect.co.nz.



Attend [ALWU's](#) AGM on 15 September at 6.30pm on Zoom.



Check out the YWCA (Greater Wellington) [website](#).

Wairarapa Representative - Shannon Norling



I am Shannon Norling, Director of Core Legal in Masterton and the newly appointed Wairarapa Twig representative of the Wellington Branch Council of the NZLS. I look forward to being involved with and rekindling collegiality between our provincial members and Wellington as this has been missed during these unusual times.

A quick bit about me. Raised in the stunning Wairarapa, my Co-Director (**Christian Jorgensen**) and I purchased Property Law Service, rebranded, and started [Core Legal](#) 1 April 2020 (right at the start of the first Covid lockdown). Not the best of timing of course, however our firm has gone from strength to strength and now has 11 talented individuals with a busy general practice workload. We remind ourselves daily that we work to live so we can all enjoy the fantastic lifestyle the Wairarapa offers.

So, a shout out to our Wairarapa members - if you have any matter or point you would like to discuss and have me raise at our monthly Council meetings then please email me at shannon@corelegal.co.nz. I am here to represent and welcome any input from our local members.



Watch [The Split](#) on TVNZ.



Listen to [Criminal Responsibility: How young is too young?](#) on [The Detail](#).